

Webinar Transcription: Non-Regulatory Guidance on Flexibility and Waivers for Grantees and Program Participant Impacted by Federally Declared Disasters

October 5, 2017

Greta Colombi: Good afternoon and welcome to today's webinar. My name is Greta Colombi. I am the deputy director of the National Center on Safe Supportive Learning Environment also known as NCSSE and I will be moderating today's webinar. Today's webinar is focused on the non-regulatory guidance on flexibility and waivers for grantees and program participants impacted by federally declared disasters. Before we get started today, I am going to share a few details with you.

First, we are very pleased so many of you have joined us today. Since there are so many of us, to prevent background noise, which could be disruptive, you should be participating in listen-only mode as described in the confirmation email. If you did not click listen-only mode when you entered the webinar, please be sure to mute your line.

You may have some questions over the course of today's webinar. You're welcome to enter them into the chat box on the top right corner of your screen throughout the webinar. At the end of today's presentation, we will answer as many of your questions as possible.

After today's event, we will email all registrants a link to the webinar recording and slides, as well as posting them on the event webpage within a week.

Next, with big webinars like this, technical issues sometimes occur. Should you have any audio problems or technical issues during today's webinar, please email ncssle@air.org or call 1-800-258-8413. We have staff standing by to help you.

Next, to help our speakers best serve you and for your information, before I hand off the webinar to our speakers, I would like to ask you two quick polling questions. The first question is what type of educational or other institution do you represent?

The polling question will pop over in just a moment. You will see that we include a broad range of institutions. Since we know that many of you wear different hats, you may choose more than one to reflect the group of folks that are in the room with you. We are just going to wait a moment to give you time to respond.

We are broadcasting the results and so far, it seems like we have folks in the Other. For those who are in the Other category, feel free to enter in the chat box what kind of institution or area that you represent. So that seems like our largest at about 43% and another large group are from State educational agencies. We have another set from private schools and public schools and some from districts. So thank you very much for answering that polling question.

We have one more polling question for you, and it will come up in just a moment. This next question is for which program are you facing issues? You'll see again that we have a broad group of programs and these are all reflected in the guidance that we linked to at the first slide of today's presentation. So we are just going to wait a moment. It is in the process of coming up. So far, we will just wait a moment to give folks time to respond before we start trying to look at trends.

It is looking like the majority of folks are facing issues related to the Elementary and Secondary Education Act. The next largest group is in relationship Part B of IDEA or Section 504 and Title II of ADA. The next group is probably infants and toddlers under Part C of IDEA and some general discretionary and formula grant. Thank you very much. This is very helpful to give us an idea of who's on the phone so that we can help answer your questions as best as we can.

We are now all set. So without further ado, we are going to get started. I would like to now introduce you to David Esquith.

David Esquith: Thank you, Greta. Good afternoon everyone. My name is David Esquith. I am the director of the Office of Safe and Healthy Students at the Department of Education. I want to thank all of you for joining us today and express on behalf of all of my colleagues at the Department of Education our support and sympathy to all of the communities that have been impacted by Hurricanes Harvey, Irma, and Maria.

This webinar's purpose is twofold. The first is to provide an overview of the Non-Regulatory Guidance of Flexibilities and Waivers. The second is to give all of you an opportunity to ask questions related to the guidance. During the question-and-answer period of this webinar, representatives from different education offices are standing by to answer program-specific questions that you may have. I want to encourage all of you to ask those questions on a rolling basis throughout the webinar. Don't wait until the end. So this will enable us to get to as many questions as possible if you input your questions in real time.

If you have not already reviewed the guidance, I strongly encourage you to do so. The Non-Regulatory Guidance includes 56 questions and answers addressing multiple Department of Education programs. While this webinar will highlight issues related to flexibilities and waivers across multiple programs, if your interest relates to a specific program, you should refer to the program section of the Non-Regulatory Guidance.

In terms of our agenda, I will begin by presenting an overview of the guidance. My introduction will be followed by questions and answers related to flexibilities on reporting deadlines, timelines for grant-funded activities, and maintenance of fiscal effort or matching requirements. We will then go into a section on potential alternatives and strategies for providing program services after disruption. We will then talk about methods for ensuring continuity of services and communication with program participants. Following these three sections, we will open the webinar up to questions and answers.

Joining me on the webinar today will be my colleagues Gregg Corr from the Office of Special Education and Gregory Martin, from the Office of Postsecondary Education. We'll use a question-and-answer format to cover a number of key topical areas. During our question-and-answer period, we will be joined by our colleagues Rachel Peternith and Josie Skinner from Ed's Office of General Counsel.

What is the goal of the guidance? The department's goal is to help Department grantees and program participants restore teaching and learning environments and resume program operations and services.

The Non-Regulatory Guidance discusses waivers and other forms of relief from federal requirements, consistent with federal statute, in order to provide education stakeholders with flexibility necessary to continue operations and services as they recover from school or program closures due to a disaster. Those stakeholders include schools, SEAs, LAs, lead agencies, LEAs, local EIS programs and providers, state vocational rehabilitation agencies, the Department of Interior's Bureau of Indian Education-funded schools, tribes, and postsecondary institutions.

In regard to the key topics that are covered in the non-regulatory guidance, the guidance addresses reporting on deadlines, timelines for grant-funded activities, and maintenance of effort or matching requirements where applicable. In addition, the guidance proposes potential alternatives and strategies for providing program services after disruption. As you will see, the guidance covers a variety of topics to various program areas.

A little more about the guidance. The guidance provides implications of prolonged school or program closure or other disruptions in the educational and other services to students and other program participants. It addresses legal questions that may arise for school or program administrators when faced with extended closures due to the disastrous impact. It also describes the possibility of waiving requirements when consistent with the applicable federal statute or finding other flexibility in federal laws and regulations.

The Department encourages all interested parties to contact the department with any request for assistance beyond the scope of the guidance. If there is any question in your mind about the applicability of the guidance to the question that you have, the department is committed to collaborating with impacted parties as well as other federal, State, and local agencies to remove barriers and expedite the work necessary to respond and recover from the recent hurricanes. It is important to note

that the guidance will be updated as necessary with answers to additional questions that all of you or others may have.

In regard to the parameters of the guidance, two key points. The non-regulatory guidance addresses only federal requirements and flexibilities. It explains that only state and local officials can address state and local requirements and flexibilities.

Now, what are the program areas covered by the guidance? On your screen, you see a long list and I will highlight them. It addresses general discretionary and formula grants, the ESEA, Elementary and Secondary Ed Act, Part B of IDEA, Section 4 and Title II of the ADA, the Infants and Toddlers Program under Part C of IDEA. It addresses equitable services for private school students and teachers, the Adult Education and Family Literacy Act, career and technical education, postsecondary education, federal student financial aid programs, and finally, the Vocational Rehabilitation Program.

At this point, I want to turn it over to my good friend and colleague Dr. Gregg Corr from the Office of Special Education Program.

Gregg Corr: Thank you, Dave. I'm going to be working through this section with Greg Martin. The very first section we will be working on is flexibilities on reporting deadlines, timelines for grant-funded activities, and maintenance of fiscal support or matching requirements.

Greg Martin: Thanks, Gregg. I have a few questions here for you. First, how will the Department provide flexibility to entities applying for these discretionary grants?

Gregg Corr: To the greatest extent possible, the Department will postpone discretionary grant competitions and extend application or other filing deadlines for institutions affected by a disaster when permissible under the law. Appropriations Act generally provides funds for specific programs, purposes, and activities. The Department has very limited authority to redirect funds appropriated for one program or purpose to another program or purpose.

The Department will ensure that any funds that have been statutorily authorized for relief efforts are awarded to eligible recipients and determined on a program by program basis whether a regular grant competition schedule should be suspended.

Greg Martin: How will an extended closure due to a disaster affect the grantees' receipt of funds?

Gregg Corr: Until a Department official has obligated federal program funds to a grantee, no binding commitment exists with regard to these funds. If delays in federal obligations are caused by a disaster, the Department staff will work with grantees on the obligations to the extent permitted by law and warranted by the conditions and effects of the disaster and consider using the pre-award period to negotiate a delay of the grant start date and to authorize pre-award costs.

Greg Martin: What if the grantee would have difficulty in fulfilling the grant activities because it has been affected by the disaster?

Gregg Corr: During a recent recovery period from a disaster, grantees are expected to notify the relevant Department program office as soon as they are aware that they may have difficulty fulfilling grant activities. The Department is committed to working with its grantees to provide them with the maximum flexibility in making changes to project activities and timelines that might become necessary as a result of a disaster.

For example, discretionary grantees that have partners or participants in areas affected by a disaster should alert the program officers as quickly as possible to make changes to the project activities and timelines. Additionally, with regard to formula grant programs, state vocational rehabilitation agencies and grantees should contact their Office of Special Education and Rehabilitative Services, OSERS State liaison to address issues resulting from a disaster to renegotiate and/or redirect the scope of their work plans as needed. LEAs should work through their SEAs to renegotiate and/or redirect the scope of their work plans as needed.

Greg Martin: So the grantees still have to follow the various administrative requirements that are related to the grant such as meeting, reporting deadlines, obtaining administrative approvals if affected by this disaster.

Gregg Corr: Well, generally yes but the Department understands that grantees may need to make administrative changes to grant projects if they are affected by a disaster. Grantees have flexibility under 2 CFR Section 200.308 and 34 CFR Section 75.261 to make some changes without departmental approval. Any relief from regulatory requirements provided to all grantees during the recovery period will be posted on the Department's website.

Greg Martin: If a grantee is required to provide equitable services to private school students and teachers, how will private schools be notified of the availability and delivery of such services during the recovery period?

Gregg Corr: Grantees should, during the required consultation process with private school officials under ESEA and under IDEA, establish procedures and strategies including a communication process that the entity will implement in the event of an extended school closure.

Planning for this effort may require establishing a backup strategy that will be operational throughout the recovery period. Grantees should coordinate such planning with private school officials to make sure that all appropriate private schools have access to information related to federal education equitable services provided to their private school students and teachers. Grantees and private school officials may also consider enlisting the assistance of the designated ESEA state ombudsman regarding ESEA equitable service assistance. For more information, we refer you to Questions B4 and C7 in the guidance.

The next section that Greg and I are going to walk you through is potential alternatives and strategies for providing program services after a disruption.

Greg Martin: For State-administered grants, is another entity allowed to perform activities related to a grantee's project if the grantee is unable to do so?

Greg Corr: Yes, but States and their subgrantees when applicable will continue to be legally responsible for the administration of the grants and subgrants as well as the monitoring of contracts. States have some discretion to make changes with their

grants without prior approval of the Department. If the change requires prior approval however, 2 CFR Section 200.308 sets forth the procedures States follow to request prior approval from the Department. The Department will consider these requests on an expedited basis and will generally approve those that are consistent with the State plan or application that was filed and approved by the Department and reasonable in light of the specific circumstances of a disaster.

Greg Martin: Is it possible for a discretionary grant to be transferred to another eligible entity if the grantee is unable to perform project activities due to a disaster?

Greg Corr: Yes. In limited circumstances, a discretionary grant may be transferred from one entity to another. The transfer, however, requires formal approval by the Department and the grantee must follow procedures to ensure that the grant continues to serve the same or very similar popular population and is of the same scope and meets the objectives as approved by the Department. The entity to which a grant is transferred must be an eligible recipient.

To ensure the proposed changes are within the scope and objectives of the grant as approved, amendments to grant awards require formal approval of the Department.

Greg Martin: Thank you.

Greg Corr: Then we are going to move to a section addressing methods for ensuring continuity of services and communication with program participants. Greg?

Greg Martin: How should SEAs and LEAs identify and serve students who may be residing in homeless situations as a result of disaster?

Greg Corr: In the event of a disaster, State coordinators and local liaisons will want to work together to coordinate and facilitate services to children and families made homeless by the disaster. To facilitate identification of homeless students, local liaisons may choose to display posters or distribute brochures on McKinney-Vento rights in places where people affected by the disaster are likely to assemble. Local liaisons should also notify social services, housing, and other types of agencies

working with individuals and families affected by the disaster to assist with identification.

Greg Martin: Thanks, Gregg.

David Esquith: Thank you to Greg Martin and to Gregg Corr for kind of walking us through those high-level questions and answers. Once again, we want to remind you that if you do have questions that you would like us to respond to to include those in your chat box. Now I'm going to turn it over to our wonderful colleagues in the Office of General Counsel, Rachel Peternith and Josie Skinner, to answer the questions that have come in so far while we wait and we will also be waiting for other questions to come in in the process. Rachel?

Rachel Peternith: Hi. There was a question about whether there was Ed email address specific for Hurricane Maria relief. So in a moment in the chat box, we will be posting a link that includes contact information for all of the various program offices at Ed and who will be handling any waiver or any need requests. I think it just appeared. So there are various staff listed there. You can feel free to reach out to any of those staff individuals with questions that you may have. If they are not the right people, they will get your question to the right folks. But in answer to the actual question there is no specific Maria Ed email address.

The next question is is there any required notice of seeking a waiver or flexibility that's required? I am assuming this is when a state or LEA or some other entity is requesting flexibility from Ed. We are going to answer for SEAs and LEAs that are requesting flexibility under the Elementary and Secondary Education Act waiver authority. There are some notice requirements and I'm going to let Josie answer that. Again, just for ESEA for SEAs and LEAs.

Josie Skinner: Under Section 8401 of the Elementary and Secondary Education Act, there are some requirements outlined for the process of seeking waiver. This is covered in Question B3 of the guidance as well. This does include a notice requirement for both the SEA and the LEA. They need to provide notice in the SEA's case, to affected LEAs as well

as the public. The LEA also has notice requirement to notify the public of the request in the manner in which this type of notice is normally provided.

Rachel Peternith: There is a question whether funding is anticipated for institutions that are receiving students from Puerto Rico. At this time, we at Education have not seen any additional funding from Congress to address those various hurricanes with additional funding for that purpose. We anticipate and we hope that something might pass but we cannot promise anything.

David Esquith: Yes. This is Dave. There's a lot of congressional action around relief for Hurricanes Harvey, Irma, and Maria. As Rachel said, at this point, nothing has been finalized but we are hopeful that there will be additional support forthcoming.

Rachel Peternith: I think that is all the questions that we have right now, so I don't know if we want to put it on mute for a moment here and let folks think and type in questions and we will get back on in a moment and try to answer them.

David Esquith: Yes. We are going to go silent here for a couple minutes to give people an opportunity to ask additional questions that they may have. As soon as we see any, we will go back online. Please if you have any questions, don't be shy and submit your questions into the chat box. We will do our best to answer them. [Pause]

Hi. This is Dave. We have a question. The question is will the Department of Ed ask Congress for funding for Puerto Rico. What we can share which is public information is that the administration of the Office of Management and Budget has now asked various agencies to consider how we can be helpful. So at this point, this is all very much kind of a process of the Department of Ed and other agencies working with the administration and with Congress to consider support for all of the states that have been impacted by Harvey as well as Irma and Maria. At this point, it is very much a fluid process but one that is definitely in effect. [Pause]

Rachel Peternith: We received another question about whether we are considering capital finance programs for HSI. I think at this point, we cannot really speak to specific elements or characteristics of programs we might be seeking because we are still in the process

of working out what those might look like and then getting them to OMB and sharing them with Congress who is also working on that, but suffice it to say that as Dave mentioned, everybody is looking at this, gathering information and trying to figure out how to put our best foot forward to help impacted communities.

David Esquith: A follow-up question that we got relates to those States such as New York State that might be receiving students and that clearly is also kind of in the mix, that we are kind of monitoring displaced students carefully, as carefully as we can to be sensitive not only to the states that were directly impacted by the hurricanes but also that have been or will be indirectly impacted by an increase in students from the States that were directly impacted. It is definitely a situation that we are monitoring very carefully. [Pause]

While we are waiting for other questions to come in, Greta, I know that one of the questions that we routinely receive in webinars such as this is when the slides will be available and where folks can look for them, so do you want to cover that in the meantime while we are waiting for other questions to come in?

Greta Colombi: Absolutely. On the event webpage where you were directed to register for today's event, on that same page, after today you will see a copy of the slides as well as the recording. We say we will get it up within a week but usually we do it within a day, so you can access it as soon as possible.

David Esquith: Thank you.

Greta Colombi: My colleague Elena just included the link to that page just in case you did not have it handy. [Pause] Let's just put it on hold for one more second because we just got a couple more questions that we are going to look at and we will get right back on with answers if we can. Thank you. [Pause]

We are going to turn to our colleagues Michael Anderson and Todd Stevenson to respond to your question about serving private school students.

Michael Anderson: Hi. Good afternoon everyone. I am Mike Anderson. I am in the Office of General Counsel. We have a question as to whether or not a State can delay or reduce Title I funds for private schools while they deal with hurricane damages. In terms of reducing the amount of funds that are available for equitable services, a local educational agency that is required to provide services cannot reduce the amount of funds that are available for services. With respect to delays in services, if there is a need for delays in services whether due to issues affecting the local educational agency or issues affecting the private schools themselves, the school district, the local educational agency should be consulting with the private school officials regarding any delays that may be necessitated by hurricane damage and include discussions regarding when services will be able to get started or resume in the district so that the services provided are equitable to those provided to public school students.

Ultimately if there is a delay, this may entail providing additional services perhaps during the summer or increase services during the remaining portion of the school year so that the services are in fact equitable to those provided to public school students. Todd, do you have anything else to add?

Todd Stevenson: That is right. The main thing is that based on consultation already an amount of Title I Part A fund is determined to be the equitable share, it might be 10% of a district's allocation, it could be 15% depending and that amount that was generated for equitable services would stay the same.

Rachel Peternith: Hi. This is Rachel again. We received another question asking about at what point time-wise would Education consider updating the guidance. I think we will do that if we receive a large number of additional questions that we don't feel like are addressed through the guidance or in addition to, at which point we get legislation which hopefully we will which we'll need to answer plenty of questions about how we might be getting that money out and what it means. So I think that would probably be the most likely trigger for the next round of guidance. [Pause]

Greg Corr: There is a question coming in from Steve Aleman. Hi Steve. The question is do the requirements for IEP for student-transferred under 34 CFR 300.323, those are the IDEA regulations, so do those apply to a student displaced to another district? The regulations don't make any distinction of the reasons why a student may transfer from one district to another. So presumably regardless of the reasons why, the regulations of 323 would apply to students displaced to another district. [Pause]

Josie Skinner: Good afternoon. This is Rhonda Weiss of the General Counsel's Office and she is going to provide a little more information in response to that question.

Rhonda Weiss: Thanks, Gregg and hi, Steve. The requirements of 323 E and F are for students who are enrolled in school, have a current IEP, and moved to a new school in the same school year. Gregg is absolutely correct that the regulations provide no exceptions to this requirement. If a student moves into a new school district, has an IEP, and enrolled in a new school in the same school year, the new school district would have to provide that student with a free appropriate public education through comparable services in consultation with the parent until a new IEP is finalized for the student. If there is a situation in which a student does not have a copy of the IEP and it is impossible to retrieve a copy of the IEP, the school district could provide services based on any information that the parent provides about the student's needs. Of course, these determinations are individualized and have to be made on a case-by-case basis but the regulation certainly provides a good framework.

Gregg Corr: Thank you, Rhonda. I just want to direct the callers to Question C6 in the guidance which goes into a discussion of this very same situation. [Pause]

David Esquith: We have a question, whether Ed would consider another webinar specific for a federal student aid? What we would suggest at this point to anyone who might have a question around federal student aid is to be sure to send us all your questions. We would not want to preclude the fact that we might have another webinar on this. What we do is we look for kind of a critical mass of questions that we are dealing with. So I think the safe thing to do is that if you have specific questions related to

federal student aid and the hurricanes, send those in to us. That will ensure that you get the answers that you need. [Pause]

We will give it a couple more minutes to see if there are still questions coming in. We want to make sure that everyone has an opportunity to ask a question. So we are going to go kind of silent again until we see if there are additional questions that come in. [Pause]

Hi. We got a question about aid for students that are in the Miami location where there are student athletes from Puerto Rico. I believe, if I am understanding this question, this is this whole issue of students who have been displaced from one locality to another and whether those receiving localities will receive aid. As we said earlier, this is certainly something that we are very aware of and monitoring carefully. We will try to be as helpful as possible once we have as much information as we need to kind of move forward. [Pause]

We are seeing that an individual who is with the Puerto Rico Department of Education is online. We want to communicate to you that we have Spanish speakers in the room with us. Please don't hesitate to ask questions in Spanish if you have them. We would be happy to translate and answer those questions. [Pause]

This is Dave. We see that a number of people are still kind of on the line, so we appreciate your patience. We will continue to be here until we have tried to go through every question. Please hang in there with us. If you have questions, ask them. We appreciate everyone still being kind of engaged on the webinar. [Pause]

David Esquith: You're on.

Greg Martin: This is Gregory Martin from the Office of Postsecondary Education. We had a question, what about students that are already here in Miami, they cannot make it back to Puerto Rico, how will their aid work? I'll address that from a Title IV perspective and I would refer anybody that has questions about Title IV aid and these disasters to refer to your colleague letter GEN-17-08, which lists all the guidance we have relevant to any of the hurricanes that have occurred, as well as

any disasters in general. With a student who is not able to continue studying in, in this case, Puerto Rico and is in Miami, we do encourage - and this is in their colleague letter, we talk about agreements that permit study at another institution.

Within the framework of what we currently have available as far as relief, the one option would be for the student who comes from an institution in Puerto Rico, for that institution in Puerto Rico, that's what we call a consortium agreement with another institution. If a student were in Miami, it could be an institution in Miami for that student to continue his or her study at that institution and that would be under the current regulation 668.5. These arrangements might be with other institutions in the State system of the impacted institution or the neighboring institutions.

If the question is simply the student is no longer in Puerto Rico and simply left that school and now is in, in this case, Florida or Miami, if there is no arrangement with the previous school in Puerto Rico, then the way would have to be is the student would simply have to enroll in an institution of higher education in whatever state he or she went to. There would not be any specific revision for that right now. They could do that but that student would have to be enrolled as an eligible student in a degree seeking program at that institution, the same as anybody else. I hope that helps.

Josie Skinner:

We received a question about guidance for states who have children who come without a parent and without custody documents as a result of the disaster. To the extent that the student is homeless and unaccompanied, they may be eligible for protections under the McKinney–Vento Homeless Assistance Act. This is covered in Question B6 in the hurricane guidance. There's also a link in there to the department McKinney-Vento non-regulatory guidance. For these unaccompanied homeless youth, if they are displaced to another state, they have a number of right including the right to immediate enrollment even if they lack documents normally required for enrollment which would include guardianship documentation, birth certificate, other paperwork. We do encourage states and LEAs to consult the McKinney-Vento guidance for more information on that. [Pause]

Greg Martin: Thank you. We have a question that says also there are students that now live here in the school year that their families send them money for rent and other things while they are in the US, how will aid help them make it in the school while they are here in the US or Miami area? I assume what we are talking about here are students who are from Puerto Rico who are studying in the United States whose families were sending them money, many families do, to help them with their expenses as students and now those families are no longer in a position to do that.

If the student is a dependent student, that is meaning that the expected family contribution for the student was for the family where the parents' income was taken into account when that was determined, having experienced a disaster, what the student ought to do at that point is seek out the financial aid administrator of the school he or she is now attending and apprise them of the situation, what has occurred, and the change in financial situation of the family. The financial aid administrator may, and I want to stress may, this is never anything that they have to do but certainly where there is a compelling case made for it, most financial aid administrators will be very amenable to this, especially since we've encouraged them to do so in our Dear Colleague Letter, they would make a case to their aid administrator. The aid administrator may undergo what we call professional judgment, make changes to the data elements on that family's application.

These are just some examples I'm throwing out. They could, for instance, change the income that was used to calculate the family's contribution and that might lower the student's expected family contribution and make the student eligible for more aid. The school also has the authority to go on to the other side of the equation which would be the cost of dependence side of the equation and make adjustments there that may also enable the student to get more aid. The cardinal point here is the student needs to go to the aid office and explain what has happened, what the situation is. Normally, that aid administrator will want some documentation, probably very little in this case other than the fact that the student is from Puerto Rico. It's pretty obvious that the islands suffered severe devastation

and that would be enough for the aid administrator to go ahead and make whatever changes he or she deems appropriate. [Pause]

Rachel Peternith: We also received a question, who would sign an IEP or other forms for unaccompanied youth? I'm going to turn to my colleagues Nancy and Rhonda to answer that question.

Rhonda Weiss: Thanks, Rachel. Hi. This is Rhonda Weiss. So we just also speak with respect to the IEP. There is no IDEA requirement that the IEP be signed. Of course, parents are required members of an IEP team but a school district can go ahead and hold an IEP meeting without a parent in attendance. If the parent cannot be physically present, there are alternative means such as through conference calls, videoconferencing which we fully recognize may not be practical options in a disaster circumstance. The overriding rule is that the child get services as quickly as possible. As long as the school district makes reasonable effort to contact the parents and document those attempts, I think that the IEP could be developed without the parent physically present at the meeting. [Pause]

David Esquith: Thank you, Rhonda. We will go silent here again, appreciate everyone's very thoughtful questions, to see if any other questions come in. [Pause]

Greg Martin: Hello. This is Greg Martin from the Office of Postsecondary Education again. We have a question that says would the department accept retroactive agreement, I am assuming these are consortium agreements, given that many institutions in Puerto Rico may be non-operational right now? We are talking about again consortium agreements where one school has executed an agreement with another institution for that student to remain enrolled at the home, but it would be the home school, and study at what we call the host school with the understanding and within the terms of the agreement that the credits earned at the host school will be acceptable for matriculation at the home school. This question is will we accept something retroactive.

Generally speaking, no because the student needs to be an eligible student. There would be no way for the student who's attending an institution in Puerto right,

rather stay in Florida or somewhere else right now, for that school to know that this student is an eligible student somewhere else and without any communication with that other school. However, I want to put some parameters around that. What I would do in this case if you're experiencing a situation where you are getting a lot of students, I would encourage you to contact your School Participation Division, SPD, School Participation Division whom you might know more generally as the Program Review Office.

So in the case of a school in Florida, you might want to contact Region 4. I think the director there is Chris Miller. They understand the things, what is happening. I am not saying they can just make it happen but they might be able to help facilitate the making of consortium agreements between schools or may be able to give the school some insight into how that can be accomplished. So I would definitely refer anybody that has this situation to the School Participation Team to discuss the specifics of what you want to do and it might be that they can find a way to make it work. Or if they cannot, they can contact policy, we can think about how much latitude we would be able to grant.

David Esquith: Thank you, Greg. We will give it a couple more minutes here. I'm not seeing any further questions. We will go silent once again for any final questions. [Pause]

This is David Esquith again. I'm going to turn it over to our colleague Greta. Before I do that, I want to again on behalf of everyone at the Department of Education thank you for participating today, and know that the department is trying to do all we can to be helpful both in terms of flexibility and waivers and looking for all the support that we can give to everyone who has been impacted and indirectly by the hurricanes. So, Greta?

Greta Colombi: Thank you so much Dave. For those of you who need additional help, please know that the US Department of Education has its emergency response contact center. Here on this slide, you can see the link to get more information to our webpage. You can call 1-844-348-4082. You can email both of those emails below as indicated. There is also a press release that has more information.

In addition, there is also a disaster distress helpline. SAMHSA has a webpage dedicated for this in addition to phone lines and an ability to both text in English and Spanish to get help. There is also for those that are deaf and hard of hearing as well.

As we close today's webinar, I just want to remind you that the recording, slides, and other information from this webinar will be available on the NCSSE website which is the webpage where you registered. I included the link here. We will also email links to the recording and slides to those who registered. If you have any questions about access to today's materials or future webinars, please contact the National Center on Safe Supportive Learning Environments at nccsle@air.org. We are always interested in improving and figuring how we can better help you. In a moment, a few questions will pop up on your screen and we just ask that you take a moment to give us some feedback.

Thank you very much and we hope that you all have a wonderful day.

- End of Recording -